

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

CARL HUTTO, #148575,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:06-cv-328-WKW
)	(WO)
TERRANCE ROSE, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On August 1, 2006, the Magistrate Judge filed a Recommendation (Doc. # 22) in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED as follows:

1. The Recommendation (Doc. # 22) is hereby ADOPTED;
2. The plaintiff's July 14, 2006 pleading (Doc. # 21) is construed to include a Motion to Dismiss Defendant Jamie McCarty;
3. The motion (Doc. # 21) is hereby GRANTED and Defendant Jamie McCarty is DISMISSED with prejudice as a party to this complaint; and
4. This case, with respect to the remaining defendants, is REFERRED back to the Magistrate Judge for additional proceedings.

Done this the 28th day of August, 2006.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE

